



City Council Agenda

Council President
Henry T. Perea

Councilmembers

Brian Calhoun, Ph.D.
Mike Dages
Jerry Duncan

Cynthia Sterling
Larry Westerlund
Blong Xiong – Acting President

City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch, CMC

City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650.

The City Council welcomes you to this meeting.

June 12, 2007

8:30 A.M. ROLL CALL

Invocation by Reverend Lou Paradise of Westminster Presbyterian Church

Pledge of Allegiance to the Flag

The agenda is available on (www.fresno.gov). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.
PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Ceremonial Presentations:

Presentation of Commendation to University High Academic Team – Councilmember Westerlund - **Presented**

Presentation of California Water Environment Association 2006 State Awards to the Fresno-Clovis Regional Wastewater Treatment Facility and Staff – Assistant City Manager Jon Ruiz - **Presented**

Presentation of award to environmental leaders in Fresno, Lewis Green of the Chaffee Zoo, Linda Nimer of Wawona Middle School, and Brady Matoian of OK Produce- Council President Perea- **Presented**

Presentation of Environmental Industry Association(EIA) Award to the Department of Public Utilities, Solid Waste Division “Driver of the Year” Michael Flores – Assistant City Manager Jon Ruiz- **Presented**

Approve minutes of May 31, June 5 and June 7, 2007

Action Taken: May 31 and June 5 approved; June 7 laid over one week

Councilmember Reports and Comments

Action Taken: Made

Approve Agenda

Action Taken: Made

Adopt Consent Calendar

Action Taken: Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following

A. * [Approve new leases and restated concession agreements with the rental car companies operating at the Fresno Yosemite International Airport to cover their use and financial support of the consolidated rental car facility to be constructed at the airport – Airport Department](#)

Action Taken: Approved

B. * [Approve ten year extension of Skywest Airlines’ Hangar P-3 Lease at Fresno Yosemite International Airport– Airport Department](#)

Action Taken: Approved

C. * [Approve the sale of a city permit parcel containing 1,012 square feet near Tyler and Angus Streets to Naviri A. Saghdejian \(***Property located in Council District 7***\) – Public Works Department](#)

Action Taken: Approved

D. * [**RESOLUTION** - to change the rate method of apportionment of the special tax and to establish a new maximum special tax for Annexation No. 81, Final Tract No. 5258 and Annexation No. 82, Final Tract 5295 of City of Fresno Community Facilities District No. 2 \(***Property located in Council District 5***\) – Public Works Department](#)

Action Taken: Resolution 2007-203 adopted

CONSENT CALENDAR CONTINUED

- E. * [Award a construction contract in the amount of \\$643,653 to A-C Electric Company for the modification of existing traffic signal facilities at 1\) Belmont and Fresno Street; and 2\) Dakota and Fresno Street to provide protected left turn phasing \(**Property located in Council Districts 3 and 7**\) – Public Works Department](#)
Action Taken: Awarded
- F. * [Approve a professional consulting services agreement with Harris & Associates for on-call construction management support services for various projects at Fresno Yosemite International Airport and Fresno Chandler Executive Airport in the amount of \\$500,000 – Airports Department](#)
Action Taken: Approved
- G. * [Award a contract in the amount of \\$445,203.50 to American Paving Company for the installation of street infrastructure in No Neighborhood Left Behind Area 83 \(**Located in Council District 7**\)- Public Utilities Department](#)
Action Taken: Awarded
- H. * [**RESOLUTION** - 88th amendment to the AAR No. 2006-253 to appropriate \\$125,000 in additional UGM 101s Water Supply Capital Funds for previously-approved water supply projects in Northeast Fresno\(**Requires 5 affirmative votes**\) - Public Utilities Department](#)
Action Taken: Resolution 2007-204 adopted
- I. * [Approve reimbursement agreement with Fresno Metropolitan Flood Control District for installation of canal intertie connection and master plan storm drain facilities and re-designation of basin “BM” from recreation to groundwater recharge; authorize the Director of Public Utilities to sign the agreement on behalf of the City - Public Utilities Department](#)
Action Taken: Removed from the Agenda to be rescheduled
- J. * [Approve first amendment to agreement with West Yost & Associates, for preparation of a water master plan and reassign contract administration from the Director of Public Works to the Director of Public Utilities- Public Utilities Department](#)
Action Taken: Approved
- K. * [Approve an agreement with Avante Behavioral Health to continue to provide an employees assistance program to City of Fresno employees – Personnel Services Department](#)
Action Taken: Approved
- L. * [Request authorization to execute Amendment No. 2 for \\$300,000 to the professional services agreement with Planning Resource Associates for services related to rezoning, annexation, and other planning consultant services - Planning and Development Department](#)
Action Taken: Approved
- M. * [Request authorization to execute Amendment No. 3 for \\$300,000 to the Professional Services Agreement with URS Corporation for services related to the processing of development projects – Planning and Development Department](#)
Action Taken: Approved
- N. * [**BILL B-48 - \(for adoption\)** repealing and amending subsection 11-226 and adding Article 4.10 and 4.11 to Chapter 12 of the FMC relating to impact fees for street facilities and traffic signal facilities- Public Works Department](#)
Action Taken: Ordinance 2007-50 adopted

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:00 A.M. **A. SCHEDULED COMMUNICATION –**
1. Appearance by Sevan Kayaian, disabled veteran of 2nd Gulf War – **Not present when called**
- B. UNSCHEDULED COMMUNICATION –** Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda

9:15 A.M. **GENERAL ADMINISTRATION**

- A. *** [Award a contract to S.J Amoroso of Redwood Shores, CA. for construction of a consolidated rental car facility at Fresno Yosemite International Airport in the amount of \\$14,390,200 and make findings and determinations – Airports Department](#)
Action Taken: **Awarded**
1. *** RESOLUTION - 87th amendment to the AAR No.2006-253 appropriating \$10,690,500 to fund the construction contract (*Requires 5 affirmative votes*)**
Action Taken: **Resolution 2007-205 adopted**

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

- 9:30 A.M. [Hearing - to consider a Resolution of Public Use and Necessity for the acquisition of a street easement of 5,354 square feet from property owned by Dearld J. Henkel at 3320 N. Weber Avenue and a street easement of 7,317 square feet from a vacant parcel owned by David J. Scoffone and Catherine Ann Scoffone at the northwest corner of Marks and Weber Avenues– Planning & Development](#)
Action Taken: **Held**
- * 1. RESOLUTION- determining that public interest and necessity require acquisition of an easement and right of way for public street purposes over, under through and across real property at 3320 N. Weber Avenue and the northwest corner of Marks and Weber for the Marks Weber intersection project and authorizing eminent domain for the public use and purpose**
Action Taken: **Resolution 2007-206 adopted**

9:45A.M. #1 **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of June 5, 2007

Action Taken: **Approved**

- A. RESOLUTION - approve a disposition and development agreement between the Redevelopment Agency of the City of Fresno and Sequoia Community Health Foundation, Inc. for the exchange of real property between the Agency and Sequoia and development of proposed Dental Center by Sequoia, and making related findings**
Action Taken: **Joint Resolution 2007-207/1699 adopted**

Recess Agency to 10:00 A.M. #2

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

- 9:45 A.M. #2 Presentation on Vision 2010 Downtown Accomplishments, Current Projects and Continuing Vision- (City Manager's Office and RDA)
Action Taken: Presentation made
- 10:00 A.M. #1 **Continued consideration of FY 07-08 Budget** (May be heard later) (order subject to change) Departments; General Services Department, Planning & Development, Convention Center, CDGB,
Action Taken: Held
- 10:00 A.M. #2 **CONTINUED JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

B. Hearing - regarding FY 07/08 Redevelopment Agency budget

1. **RESOLUTION** - appropriating the FY 07/08 budget to the Redevelopment Agency of the City of Fresno in the amounts set forth herein for approved projects, activities, and other such purposes and expenditures as may be budgeted by the Redevelopment Agency of the City of Fresno- Redevelopment Agency
Action Taken: Agency Resolution 1700 adopted

Adjourn Agency

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9, subdivision (a)

1. Case Name: *City of Fresno v. Board of Trustees of the California State University, et al.* Superior Court Case No. 07CECG01148
Action Taken: Laid over

SCHEDULED COUNCIL HEARINGS AND MATTERS

- | | | |
|-------------------|---------------|--|
| June 19 - | 10:00 A.M. #1 | Workshop- Community Choice Aggregation Program – Department of Public Utilities |
| June 19 - | 10:00 A.M. #2 | CONTINUED CONSIDERATION/ADOPTION OF FY 07-08 BUDGET (May be heard later) |
| June 19 - | 10:15 A.M. | Hearing re: Certification of EIA #10137 and consideration of award of contract #8821 to McCarthy Family Farms |
| June 19 - | 10:30A.M. | Hearing re: to consider Rezone App. No. R-06-56, filed by Cencal Holdings, LLC |
| June 21 – (Thurs) | 8:30 A.M. | ADOPTION OF FY 07-08 BUDGET |
| June 26 - | 10:00 A.M. | Hearing re: to consider formation of Underground Utility District FRE-85 |
| June 26 - | 10:15 A.M. | Hearing re: ordering the vacation of all street, pedestrian, and utility easements in the area known as Funston Place (Located in Council District 7) |
| June 26 - | 10:30 A.M. | Hearing re: Herndon Townsite – Planning & Development |
| June 26 - | 10:45 A.M. | Continued Hearing re: regarding City of Fresno Community Facilities District No. 11, Annexation No. 17 (Final Tract Map No. 5730) (<i>Located in Council District 2</i>) |
| June 26 - | 11:00 A.M. | General Waste discharge requirement update (PowerPoint presentation) – DPU |
| June 26 - | 2:00 P.M. | Hearing re: CUP No. 01-209, to eliminate parking on Spruce between Blackstone Ave and Abby Street – Public Works Department |
| June 26 - | 2:15 P.M. | Hearing re: to consider Rezone App. No. R-04-44, filed by Bonadelle Homes, Inc. |
| July 3 - | | No Meeting – Council Vacation |
| July 10 - | | No Meeting – Council Vacation |
| July 17 - | 10:15 A.M. | Hearing re: change of services for Tracts 5258 and 5295 – Public Works Department |
| July 24 - | 10:00 A.M. | Hearing re: Lighting Maintenance District (City wide) – Public Works Department |
| Aug. 21 - | 10:00 A.M. | WORKSHOP re: update on change in governance structure in the Dept. of Public Utilities |

June 12, 2007

***SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Page 5

AND MAY BE AMENDED AT ANYTIME